RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes__ No X)

Resolution to approve the purchase of various components of chlorine gas disinfection and safety equipment for the Lake Don Pedro Sewer Zone 1 treatment plant on the open market at the lowest available cost. This constitutes a waiver of the usual formal bid requirements.

This action is justified in order to quickly correct identified deficiencies in the existing equipment.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

See attached memo to County Counsel and subsequent reply.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

1. Do not adopt this resolution and require staff to purchase the components through a formal bid process. Installation of this important equipment would be further delayed.

2. Direct staff to delay any purchases until the ongoing engineering study of the sewer system is complete and the future of the treatment plant is better known. This action would violate direction from the Health Department to correct the existing safety problems expeditiously.

COSTS: ( ) Not Applicable
A. Budgeted current FY $48,000 *
B. Total anticipated costs $4,000
C. Required additional funding $4,000
D. Internal transfers $4,000

SOURCE: ( ) 4/5th Vote Required
A. Unanticipated revenues $48,000 *
B. Reserve for contingencies $0
C. Source description: *Approx. Balance Available in the Utility Capital Line of the Sewer Zone
Balance in Reserve Contingencies, if approved: $0

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:

Edwards/Green Memo 4/21/93 (w/attachment)
Green/Edwards Reply 4/23/93

CLERK'S USE ONLY
Res. No.: 93-258 Ord. No. ____________
Vote - Ayes: ____________ Abstained: ____________
Approved ( ) Denied ( )
( ) Minute Order Attached ( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

ATTEST: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California
By: Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
This item on agenda is: ______
Recommended
Not Recommended
For Policy Determination
Submitted with Comment
Returned for Further Action

Comment: ________________________________________________________________

A.O. Initials: __________________________

Action Form Revised 5/92
MEMORANDUM

To: Jeffrey G. Green, County Counsel
From: Michael D. Edwards, Interim Director
Date: April 21, 1993
Re: Lake Don Pedro Wastewater Treatment Plant (WWTP) Chlorination Equipment Purchase

For some time now, Public Works has been investigating means to upgrade the safety aspects of our disinfection at this WWTP. Problems have been identified with the current gas chlorination system that will require some rather costly additions to meet safety standards. This also includes identification of an emergency response agency equipped with two self-contained breathing apparatus (SCBA's), a special repair kit and trained personnel. We had previously contacted the Lake Don Pedro C.S.D. to arrange a mutual aid agreement, but they eventually declined, even though the County would have purchased an additional SCBA (see enclosed letter).

At that point, at the urging of the Health Department to expedite the process, we began investigating conversion to a liquid chlorination system. We have actually purchased some of the necessary components. Upon further review, however, we have learned that the safety requirements are nearly as stringent for liquid chlorination in many cases and more so in others. Long-term material costs and manpower requirements would double or triple.

As you know, the C.S.D. is now doing routine maintenance of the WWTP under contract to the County. They have now expressed an interest in providing emergency chlorine gas response and have since purchased two new SCBA's. Accordingly, it is now my judgment that we should return the unused liquid chlorination equipment just purchased and proceed expeditiously with the mutual aid agreement and the upgrade to the gas chlorination.

Quite some time has passed, unfortunately, and it is more urgent than ever that this potential public health risk be remedied. I would like your opinion on my authorization to proceed as follows:

1. Obtain by purchase order from Public Works the necessary equipment to meet the safety standards required by the Health Department. This would be based on informal bids and without formal Board of Supervisors' concurrence.
2. Install said equipment even though a mutual aid agreement with the C.S.D. may not be in place (based on the C.S.D.'s willingness to respond if requested from the State O.E.S. as indicated in the enclosed letter).

3. Pursue another mutual aid agreement with the C.S.D. (which I have already started).

Please give me your thoughts at your earliest convenience.

sm

Enclosures

cc: Supervisor Balmain
    Dr. Charles Mosher
    Evelyn Billings
    Greg Wass
    Jan Newman, Lake Don Pedro C.S.D.
    Lake Don Pedro Advisory Committee
May 13, 1992

Mr. Michael D. Edwards  
Mariposa County Department of Public Works  
4639 Ben Hur Road  
Mariposa, CA 95338

RE: Mutual Aid Agreement, Emergency Response for Don Pedro Sewer Zone 1 Chlorination System at Waste Water Treatment Plant

At the Lake Don Pedro Community Services District Board meeting held, May 11, 1992, the Board decided to decline your offer to purchase a breathing apparatus for use in emergency response to a chlorine leak at your facility and not enter into a Mutual Aid Agreement with your county because of the liability involved. We will have our repair kit and breathing apparatus at our plant in case of emergency and could be available if requested by the Office of Emergency Services.

Emergency Numbers:  
Jan Newman  
Day 852-2551  
Night 852-2139  
Wes Snyder  
Home 852-2297

Sincerely,

Janet Newman  
Acting Plant Manager

cc: Dr. Mosher, Public Health Officer  
Jon Christenson, Hazardous Material Coordinator, Health Department  
Larry Pollard, Director of Public Works  
L.D.P.C.S.D. - Board of Directors
TO: Michael D. Edwards, Interim Director  
FROM: Jeffrey G. Green, County Counsel  
RE: Lake Don Pedro Wastewater Treatment Plant Chlorination Equipment Purchase

Dear Mike:

Thank you for your memorandum of April 21, 1993 regarding the above-captioned matter. I do not believe that you have indicated in your memorandum sufficient emergency to waive the bidding process, certainly without Board approval. If you have determined that there is a real time factor, I suggest that you go to the Board and request a waiver to purchase the chlorination equipment.

Should you have any additional questions regarding this matter, please feel free to contact me.

Very truly yours,

Jeffrey G. Green  
County Counsel

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